

REMARKS

The Office Action dated June 27, 2005 has been carefully reviewed. Claims 12-27 are pending in this patent application. By this amendment, claim 21 has been amended to correct a minor typographical error. Reconsideration of this application, as amended, is respectfully requested.

35 U.S.C. § 102 Rejection

Claims 12-15, 17-19, 21-25, and 27 were rejected under 35 U.S.C. § 102 as being anticipated by Grisley et al. (U.S. Patent No. 6,736,173). Claim 21 has been amended to correct a minor typographical error. Reconsideration of claims 12-15, 17-19, 21-25, and 27 is respectfully requested.

Discussion Regarding Patentability of Claim 12

Claim 12 recites the following:

a base having a bottom surface and defining an internally threaded opening through which a bit of the hand-held power tool may be advanced, said base further having a ledge located within said internally threaded opening;
a guide at least partially positioned within said internally threaded opening, said guide having (i) a first portion defining a first central passage that is aligned with said internally threaded opening, and including a lower end portion extending vertically below said bottom surface of said base, and (ii) a second portion extending from an upper end portion of said first portion and positioned in contact with said ledge of said base; and
an externally threaded member meshingly engaged with said internally threaded opening of said base and positioned in contact with said second portion of said guide, said externally threaded member defining a second central passage that is aligned with said internally threaded opening.

In an attempt to identify where Grisley discloses the limitations of claim 12, the following was stated in the June 27, 2005 Office Action as page 2, lines 15-18:

Grisley et al teaches in the figures a guide assembly comprising a base (80) having an opening and ledge (fig. 1), a guide (12 - second portion, 50 - first portion), an externally threaded member (28) and an annular flange of the second portion (fig. 1; the extending top portion of 12).

Numerous distinctions exist between Grisley's device and the guide assembly defined by Applicant's claim 1. Firstly, as is clearly seen in Figs. 1 and 2, the opening defined in the router base 80 is not a threaded one as required by claim 12. Secondly, the guide bushing 12 (apparently equated with the claimed second portion of the guide) is not positioned in contact with any ledge defined by the router base 80. Rather, Figs. 4-7 of Grisley clearly show the guide bushing 12 spaced entirely away from the location which the router base 80 would occupy (i.e. the gap defined between the locking ring 20 and the flange 22 of the holder 14). It is axiomatic that anticipation of a claim under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Since Grisley does not disclose each and every element of Applicant's claim 12, Grisley does not anticipate Applicant's claim 12.

If the above rejection of claim 12 is maintained after considering the above remarks, Applicant respectfully requests that the Examiner specifically identify (e.g. by column and line number) where all of the limitations of claim 12 are found in Grisley. For example, where in Grisley is there a teaching of an internally threaded opening defined in the router base 80, and a second portion of the guide positioned in contact with a ledge defined by the router base 80, each of which are required by Applicant's claim 12.

Discussion Re: Patentability of Claims 13-15 and 17

Each of claims 13-15 and 17 depends directly or indirectly from claim 12. As a result, each of claims 13-15 and 17 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 12.

Discussion Re: Patentability of Claim 18

The discussion relating to the patentability of independent claim 12 is relevant to the patentability of independent claim 18. As a result, claim 18 is allowable over the cited art.

Discussion Re: Patentability of Claims 19 and 21

Each of claims 19 and 21 depends directly from claim 18. As a result, each of claims 19 and 21 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 18.

Discussion Re: Patentability of Claim 22

The discussion relating to the patentability of independent claim 12 is relevant to the patentability of independent claim 22. As a result, claim 22 is allowable over the cited art.

Discussion Re: Patentability of Claims 23-25 and 27

Each of claims 23-25 and 27 depends directly or indirectly from claim 22. As a result, each of claims 23-25 and 27 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 22.

35 U.S.C. § 103 Rejection

Claims 12-27 were rejected under 35 U.S.C. § 103 as being unpatentable over Seely et al. (U.S. Patent No. 3,811,361) in view of Dehde et al. (U.S. Patent No. 6,148,880). Claim 21 has been amended to correct a minor typographical error. Reconsideration of claims 12-27 is respectfully requested.

Discussion Regarding Patentability of Claim 12

As stated above, claim 26 recites the following:

a base having a bottom surface and defining an internally threaded opening through which a bit of the hand-held power tool may be advanced, said base **further having a ledge located within said internally threaded opening;**
a guide at least partially positioned within said internally threaded opening, **said guide having** (i) a first portion defining a first central passage that is aligned with said internally threaded opening, and including a lower end portion extending vertically below said bottom surface of said base, and (ii) **a second portion extending from an upper end portion of said first portion and positioned in contact with said ledge of said base; and**
an externally threaded member meshingly engaged with said internally threaded opening of said base and positioned in contact with said second portion of said guide, said externally threaded member defining a second central passage that is aligned with said internally threaded opening. (Emphasis added.)

In an attempt to identify where Seely discloses the limitations of claim 12, the following was stated in the June 27, 2005 Office Action as page 3, lines 1-4:

Seely teaches in the figures most of the elements of the claimed invention including a base (30), a guide (38, 120, 126; fig. 1), an externally threaded member (64), and a plurality of fingers (the protrusion formed between slatted sides 82 and apertures 84 - fig. 4).

However, Seely's base 30 does not include a ledge having *any* part of the alleged guide (38, 120, 126) positioned in contact with it as required by Applicant's claim 12. Rather, as shown in Figs. 1 and 2, the elements 38, 120, 126 of the alleged guide are clearly spaced apart from all structure of the base 30 to allow for proper operation of the router 20 since such elements are rotated at a high speed by the motor 54 of the router 20. Indeed, the alleged guide element 126 itself is a shank of a drill bit 34. (See, e.g., column 3, lines 16-18.) Of course, the drill bit is intended to contact a work piece during high speed rotation.

Thus, even if it would have been obvious to modify Seely so as incorporate internal threads on the opening defined in the router base 30, the resulting combination would not arrive at the invention of claim 12. Among other missing elements, the system resulting from the proposed combination of Seely and Dehde would not include *a guide having a second portion extending from an upper end portion of said first portion and positioned in contact with said ledge of said base* as required by Applicant's claim 12. Accordingly, the proposed combination of Seely and Dehde does not establish a prima facie case of obviousness under 35 U.S.C. § 103 with regard to the invention of claim 12.

Discussion Re: Patentability of Claims 13-17

Each of claims 13-17 depends directly or indirectly from claim 12. As a result, each of claims 13- 17 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 12.

Discussion Re: Patentability of Claim 18

The discussion relating to the patentability of independent claim 12 is relevant to the patentability of independent claim 18. As a result, claim 18 is allowable over the cited art.

Discussion Re: Patentability of Claims 19- 21

Each of claims 19-21 depends directly from claim 18. As a result, each of claims 19-21 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 18.

Discussion Re: Patentability of Claim 22

The discussion relating to the patentability of independent claim 12 is relevant to the patentability of independent claim 22. As a result, claim 22 is allowable over the cited art.

Discussion Re: Patentability of Claims 23-27

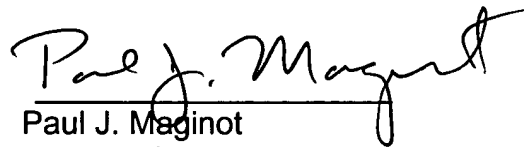
Each of claims 23-27 depends directly or indirectly from claim 22. As a result, each of claims 23-27 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 22.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,

MAGINOT, MOORE & BECK

A handwritten signature in cursive script, reading "Paul J. Maginot".

Paul J. Maginot
Attorney for Applicant
Registration No. 34,984

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Maginot, Moore & Beck
Bank One Center/Tower
111 Monument Circle, Suite 3000
Indianapolis, Indiana 46204-5115
Phone: (317) 638-2922
Fax: (317) 638-2139